

## AFFIDAVIT OF SERVICE ON N.Y.S. SUPERINTENDENT OF INSURANCE

STATE OF NEW YORK

U. S. DISTRICT COURT

SOUTHERN DIST. COUNTY

Trustees of the Bricklayers and Allied Craftworkers, Local 5 New York Retirement etal.,

Plaintiff

vs

Graniteworks, Inc, etal.

Defendant

STATE OF NEW YORK  
COUNTY OF ALBANY

Christopher Warner

being duly sworn, deposes and says that deponent

is over the age of 18 years. That on the 8th day of July, 2008

at 1 Commerce Plaza, 20th Floor, in the City of Albany, State of New York, deponent served the

Summons and Complaint

in the above action

upon Fidelity and Deposit Company of Maryland

the defendant named therein, by delivering to and leaving with Patrick Harrigan, authorized to accept on behalf of the Insurance Department of the State of New York. Deponent further says that at the time of making such service deponent paid to the Insurance Department the sum of \$ 40.00, that being the lawful fee for such service.

Deponent further says, that deponent knew the person so served to be an Attorney for Superintendent of Insurance and a person authorized by law to accept service on behalf of the defendant.

Description of person served:

Approx. Age: 50yrs Weight: 170 Lbs Height: 5'10 Sex: Male Color of skin: White

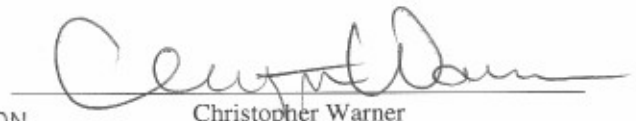
Hair color: Red Other:

Sworn to before me on this

9th day of July, 2008



NANCY L. GORDON  
Notary Public, State of New York  
Qualified in Rensselaer County  
Reg. No. 01GO4503730  
Commission Expires June 30, 2011



Christopher Warner

Invoice-Work Order #0812725